

DME states that the number of full-time UP employees on the Colony Line is 41 and anticipates that, following this transaction, the number of full-time employees on the Colony Line will rise to 50. Section 327 of the ICCTA, concerning Class II railroads receiving Federal assistance, provides that: "The Surface Transportation Board shall impose no labor protection conditions in approving an application under [49 U.S.C. § 10902], when the application involves a carrier which (1) is headquartered in a State, and operates in at least one State, with a population of less than 1,000,000 persons as determined by the 1990 census; and (2) has, as of January 1, 1996, been a recipient of repayable Federal Railroad Administration assistance in excess of \$5,000,000." DME claims that it meets the requirements of section 327 and that no labor protection conditions should be imposed.

DME seeks expedited review of this application due to various financial obligations it has entered into which take effect on May 1, 1996. DME has served copies of this application on State officials, officials of communities located on the Colony Line, the shippers and receivers that use the Colony Line, connecting railroads, representatives of affected employees, and newspapers serving the Colony Line area. In light of the extensive service on the parties likely to have an interest in this proceeding, and in light of DME's justification for expedited action, the Board is requesting that comments be filed by March 18, 1996.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: March 5, 1996.

By the Board, Vernon A. Williams,  
Secretary.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-5516 Filed 3-7-96; 8:45 am]

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#### [Finance Docket No. 32826]

#### **Huron and Eastern Railway Company, Inc.—Acquisition—CSX Transportation, Inc.**

**AGENCY:** Surface Transportation Board.

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending

**ACTION:** Notice of exemption.

**SUMMARY:** The Board, under 49 U.S.C. 10505, exempts the Huron and Eastern Railway Company, Inc. from the prior approval requirements of 49 U.S.C. 11343-45, subject to standard labor protection, to acquire from CSX Transportation, Inc., 2.09 miles of rail line between milepost 2.0 and milepost 4.09 near Saginaw, MI.

**DATES:** This exemption is effective on April 7, 1996. Petitions to stay must be filed by March 25, 1996. Petitions to reopen must be filed by April 2, 1996.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 32826 to: (1) Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert L. Calhoun, Sullivan & Worcester, Suite 1000, 1025 Connecticut Avenue, N.W., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721].

#### **SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call or pick up in person from: D.C. News and Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: February 26, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-5514 Filed 3-7-96; 8:45 am]

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#### [Finance Docket No. 32866]

#### **Rail Link, Incorporated—Continuance in Control Exemption—Talleyrand Terminal Railroad Company, Inc.**

Rail Link, Incorporated (Rail Link), has filed a verified notice under 49 CFR

before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10502 and 10902. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on

1180.2(d)(2) to continue in control of the Talleyrand Terminal Railroad Company, Inc. (TTRC) upon TTRC becoming a Class III rail carrier. The transaction was to have been consummated on or after February 14, 1996.

TTRC, a noncarrier, has concurrently filed a notice of exemption in STB Finance Docket No. 32865, *Talleyrand Terminal Railroad Company, Inc.—Operation Exemption—Lines of Municipal Docks Railway*, in which TTRC seeks to operate approximately 10-miles of rail line owned by Municipal Docks Railway in Duval County, FL.

Rail Link also controls two nonconnecting Class III rail carriers: (1) the Commonwealth Railway, Incorporated and the Carolina Coastal Railway, Inc. (CCR).<sup>2</sup>

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 because Rail Link states that: (1) the railroads will not connect with each other or with any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or with any railroad in their corporate family; and (3) the transaction does not involve a Class I carrier.

As a condition to this exemption, any employees adversely affected by the transaction will be protected under *New York Doc. Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32866, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Robert A. Wimbish, Rea, Cross & Auchincloss, Suite 420, 1920 N Street, N.W., Washington, DC 20036.

Decided: March 1, 1996.

December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

<sup>2</sup> See *Rail Link Incorporated—Continuance in Control Exemption—Commonwealth Railway Incorporated*, Finance Docket No. 31531 (ICC served Sept. 15, 1989).